

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

CASE NO.: 1:22-cv-21004-DPG

JESSICA GUASTO,

Plaintiff,

vs.

THE CITY OF MIAMI BEACH, FL,
a Florida municipality, et al.

Defendants.

_____ /

MOTION TO WITHDRAW

COMES NOW, undersigned counsel of record and hereby files this motion to withdraw as counsel for the Plaintiff. In support, the undersigned states:

1. Undersigned counsel of record has served as counsel to the Plaintiff since the inception of this case.
2. The matter stems from the Plaintiff's termination from her employment as a law enforcement officer for the City of Miami Beach.
3. During the Plaintiff's service as a law enforcement officer of the Miami Beach Police Department, Plaintiff was a member of the Fraternal Order of Police, Miami Beach Lodge No. 8.
4. On this date, while being deposed by Defendant's counsel, Plaintiff testified that she is considering litigation against the Fraternal Order of Police for improperly representing her during her termination proceedings.

5. Although undersigned counsel did not represent the Plaintiff during her the proceedings leading to her termination from Miami Beach, the undersigned has served as statewide counsel to the State of Florida Fraternal Order of Police since 2018 and continues to serve the Order as general counsel.

6. Undersigned counsel did not anticipate such testimony, and immediately asked for a recess from the deposition.

7. Based on Plaintiff's testimony, undersigned counsel cannot uphold his duty of loyalty to both the Plaintiff and the State of Florida FOP, and requests that this Court allow the undersigned to withdraw from this case and allow Plaintiff time to obtain new counsel.

8. The undersigned has advised the Plaintiff that this motion would be filed, and Plaintiff understands that she must obtain separate counsel.

9. The undersigned has conferred with counsel for the Defendant and can represent to the Court that the Defendant does not object to the undersigned's withdrawal.

WHEREFORE, the undersigned respectfully requests this Court issue an Order allowing counsel to withdraw as counsel for the Plaintiff.

Respectfully submitted,

PAUL DARAGJATI PLC

/s/ Paul Daragjati

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Counsel for Plaintiff

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on February 13, 2024, I electronically delivered the foregoing to the attorneys of record listed below via electronic mail.

SERVICE LIST

Case No. 22-cv-21004-DPG

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